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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN DAO,

Defendant.

Case No. SA 08-534M

ORDER OF DETENTION

[Fed.R.Crim.P. 32.1(a)(6); 18 U.S.C.
§3143(a)]

The defendant having been arrested in this judicial district pursuant to a warrant issued by the Honorable Anthony W. Ishii, Chief United States District Judge, of the United States District Court for the Eastern District of California, for an alleged violation of the terms and conditions of the defendant's supervised release; and

The Court having conducted a detention hearing pursuant to Federal Rule of Criminal Procedure 32.1(a)(6) and 18 U.S.C. § 3143(a), The Court finds that:

A. (X) The defendant has not met his burden of establishing by clear and convincing evidence that he is not likely to flee if released under 18 U.S.C. § 3142(b) or (c). This finding is based on the nature of the charged offense, the defendant's lack of bail resources, lack of a stable residence, and the nature of the charge offense, which indicates the defendant is unlikely to comply with conditions of release; and

1 B. (X) The defendant has not met his burden of establishing by clear and convincing
2 evidence that he is not likely to pose a danger to the safety of any other person
3 or the community if released under 18 U.S.C. § 3142(b) or (c). This finding
4 is based on the nature of the charged offense and his criminal history.
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6 IT THEREFORE IS ORDERED that the defendant be detained pending the further
7 revocation proceedings in the charging district.
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10 Dated: September 25, 2008

11 /s/ ARTHUR NAKAZATO
12 ARTHUR NAKAZATO
13 UNITES STATES MAGISTRATE JUDGE
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